

the Examiner which will include the dependency of the dependent claims. By this Amendment, applicants have cancelled (renumbered) claims 32-40 and 42 without prejudice or disclaimer of the subject matter contained therein and added new claim 44. Claims 31 and 41-44 remain in the application.

The Examiner has rejected claims 31-42 under the judicially created doctrine of double patenting over claims 1-32 of commonly owned U.S. Patent No. 6,182,649. Applicants are hereby submitting a terminal disclaimer which should overcome such rejection.

Applicants note with appreciation the Examiner's statement that claims 36-38 and 40 were not rejected over the prior art and that claims 42 and 44 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. The Examiner noted that the prior art does not disclose that the machine may be provided with dynamic braking means for the wheels or a smart card system for programming.

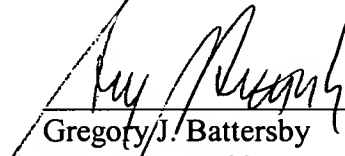
Applicants have amended claim 31 to provide for the inclusion of dynamic braking system for a motor for powering the machine and dynamic braking means for rapid deceleration of the motor. In view of the Examiner's statement that dynamic braking means are not disclosed in the prior art, applicants submit that claim 31, amended, now patentably distinguishes over the prior art and is in condition for immediate allowance.

Claims 41 and 43 have been amended and 44 has been added to provide for the method of profiling pitches using a smart card system to program a controller to create such profile. In view of the Examiner's recognition that the prior art does not disclose the use of smart cards in such applications, applicants submit that these claims now patentably distinguish over the prior art and are in condition for immediate allowance.

In view of the foregoing, applicants submit that all claims are in condition for immediate

allowance. Reconsideration and an early Notice of Allowance are therefore requested. In the event that the Examiner should determine that the aforesaid Amendment does not place the case in condition for immediate allowance, the Examiner is invited to contact the undersigned attorney by telephone to discuss what additional steps would be necessary to immediately place the case in condition for allowance.

Respectfully submitted,

  
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